IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CONTEMPT PETITION NO.15 OF 2005

IN

WRIT PETITION NO.2444 OF 2004

Shamshuddin Usman Fakir ... Petitioner

V/s

The Municipal Corporation of

Greater Bombay & Anr. ... Respondents

Mr. S.P. Srivastava for petitioner

Mrs. S. Ajithkumar for respondents

Coram : A.S. Aguiar, J.

Date : 25th February, 2005

P.C.

. Heard learned advocate for parties. Affidavit in reply on behalf of respondents No.1 taken on record. By order dated 12/10/2004 the Division bench of this court (Dalveer Bhandari,C.J.and Dr. D.Y.Chandrachud,J.) had directed respondent, Municipal Corporation of Greater Bombay to decide the application for regularisation made by respondent No.2 within two weeks from the date of order and to take consequential action within four weeks thereafter.

. Municipal Corporation for Greater Bombay in its reply has stated that the respondent No.2 has filed suit in

the City Civil Court at Bombay challenging notice issued under section 351 of BMC Act. The respondent No.1 has stated in his affidavit filed in the said suitthat application for regularization of basement (part) has been decided by respondent vide letter dated 19/01/2005.He however admits that there was some delay in complying with order of this court within the stipulated time.Respondent No. 1 tenders unconditional apology to this court for the delay in complying with the said order. The unconditional apology is accepted.In view thereof, contempt petition stands disposed of. No order as to costs.

(A.S.Aguiar, J.)